UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **Jaime SANTIAGO (AKA: Jaime ESPINO-Santiago)** Defendant.	Magistrate Case No. '08 MJ 1861 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326; Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about August 17, 2007, within the Southern District of California, defendant, Jaime SANTIAGO (AKA: Jaime ESPINO-Santiago), an alien who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States without the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Deportation Officer
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, **THIS 17th DAY OF June, 2008.**

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On August 17, 2007, a police officer with the San Diego Police Department arrested the defendant, Jaime SANTIAGO (AKA: Jaime ESPINO-Santiago), for violation of Health and Safety Code 11550(a), "Under the Influence of a Controlled Substance". An Immigration Enforcement Agent subsequently interviewed the defendant and determined him to be a citizen and national of Mexico, and present in the United States in violation of law. The agent placed a Form I-247 (Immigration Detainer) pending his release from custody.

On June 16, 2008, the defendant was referred to the custody of United States Immigration and Customs Enforcement (ICE) at San Diego, California. A Deportation Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed from the United States.

A review of official immigration computer database record checks and information contained in the Alien Registration file revealed the defendant was most recently ordered deported from the United States by an Immigration Judge on or about February 14, 2006, and removed to Mexico on February 24, 2006, via the Calexico, Ca., Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed his identity as Jaime SANTIAGO, a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.

Based upon the foregoing information, there is probable cause to believe that Jaime SANTIAGO, has illegally re-entered the United States after Deportation, in violation of Title 8 of the United States Code 1326, "Deported Alien Found in the United States."